



US Army Corps
of Engineers

Detroit District

Applicant: Epworth Assembly

In Reply Refer To: Corps File No. LRE-2001-2530000-S10
MDNRE File No. 10-53-0034-P

Date: February 23, 2011
Expires: March 16, 2011

Joint Public Notice

PROPOSED LINCOLN RIVER OUTLET REPAIRS AT LUDINGTON, MICHIGAN

Applicant: Epworth Assembly, 1161 North Lakeshore Drive, Ludington, MI 49431

Project Location: The site is located at the outlet of the Lincoln River into Lake Michigan at 1161 North Lakeshore Drive, Hamlin Township, Mason County, Michigan, (T18N, R18W, Section 4).

Federal Authority: The applicant has applied for a Department of the Army permit under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

State Authority: Section 401 of the Clean Water Act requires that all discharges of dredged or fill material must be certified by the State as complying with applicable effluent limitations and water quality standards. This public notice serves as an application to the State of Michigan Department of Natural Resources and Environment (MDNRE), Land and Water Management Division and constitutes its public notice as required by Section 401 of the Act. Coastal Zone Management Certification (or waiver thereof) is required from the State of Michigan if this proposed activity would occur within the designated coastal zone.

Project Description: As shown on the attached plans, Epworth Assembly proposes to make repairs to the Lincoln River outlet to Lake Michigan. According to their application, a June 2008 storm event destroyed the outlet structure and removed soil from behind the existing sheet pile bulkheads located on either side of the Lincoln River. The repair would initially consist of removing damaged sheet piles and boardwalks. Subsequently, new steel sheet pile bulkheads, gabion mattresses, stone rip-rap, sand backfill, and concrete walkways would be installed. The following specific activities are being proposed in Lake Michigan: Remove 98 feet of damaged steel bulkhead along the northern shoreline of the Lincoln River; remove 175 feet of damaged steel bulkhead along the southern shoreline of the Lincoln River; remove 48 feet of damaged wooden boardwalk located near the southern shoreline of the Lincoln River; install approximately 208 feet of steel bulkhead along the northern shoreline of Lincoln River; place approximately 3,000 cubic yards of sand landward of the new bulkhead along the northern shoreline of Lincoln River in an area approximately 125 feet by 30 feet; install approximately 225 feet of steel bulkhead along the southern shoreline of Lincoln River; place approximately 1,000 cubic yards of sand landward of new bulkhead along the southern shoreline of Lincoln River in an approximately 125 foot by 30 foot area; place an 9-inch thick gabion mattress landward of the new northern

bulkhead in an area approximately 40 feet by 10 feet; place a 9-inch thick gabion mattress landward of the new southern bulkhead in an area approximately 58 feet by 10 feet; place approximately 80 cubic yards of stone rip-rap in an area approximately 10 feet by 10 feet along the northern shoreline where the Lincoln River flows into Lake Michigan; place approximately 40 cubic yards of stone rip-rap in an area approximately 12 feet by 8 feet area along the southern shoreline where the Lincoln River flows into Lake Michigan; and annually dredge for 10 years up to approximately 220 cubic yards of material per year from an area roughly 7,500 square feet, measuring approximately 30 feet by 30 feet and 60 feet by 80 feet.

Avoidance & Minimization: The applicant has stated the following concerning avoidance and minimization to Waters of the United States: “The design of the outlet structure from the Lincoln River into Lake Michigan has been formulated to provide means to allow for the passage of larger storm events without causing erosion and placement of sediment into Lake Michigan. The project creates a wider channel than previously existed, constructs a gabion mattress riprap overflow channel that develops a larger, hardened area that will serve to pass larger storm events and protect native soils from erosive forces. Hydraulic modeling has been accomplished on the contributing area, and this has been used to confirm the design of the outlet. Additional protection will be provided by planting dune grass from the edge of the gabion mattresses landward to existing, already vegetated areas. This will restore the outlet and protect Lake Michigan from wind and water erosion forces.” The Corps has not verified the adequacy of the applicant’s avoidance and minimization statement at this time.

Compensatory Mitigation: The applicant has stated the following concerning compensatory mitigation for unavoidable impacts to Waters of the United States: Mitigation is not necessary or appropriate for the proposed work because: “The work anticipated by the permit application seeks to restore the capacity that previously existed at the outlet and the Lincoln River into Lake Michigan. Construction work would be done to restore sand that was washed away by the estimated 500-year rainfall event that occurred in June of 2008. The geometries of the outlet are revised slightly to allow for a more efficient exit of water into the lake, but the basic impact of the new structure compared to the old is the same. An important difference, however, is a wider channel, being 30 feet instead of 20 feet±, and the fact that there is a plan in place to pass larger storm events (identified through modeling) without disruption and erosion of the stream banks by using gabion mattresses to protect against soils lost. Effectively, fill volumes, steel sheet piles, and rock riprap are replacement items designed to protect the waters of the United States.” The Corps has not verified the adequacy of this mitigation proposal at this time.

Other Authorizations: The applicant has either received or requested the following governmental authorization: An application for permit was submitted to the Michigan Department of Natural Resources & Environmental under the following: Natural Resources and Environmental Protection Act, 1994 P.A. 451, as amended, Part 301 – Inland Lakes and Streams, Part 325 – Great Lakes Submerged Lands, Part 31 – Water Resources Protection, and Part 353 – Sand Dunes Protection and Management.

Comments: We are publishing this notice in compliance with Title 33 Code of Federal Regulations Parts 320-332. Comments on the project should be submitted in writing and postmarked or delivered by the expiration date of this public notice. Comments of a positive or negative nature may be submitted. All responses must refer to file number LRE-2001-2530000-S10. We will interpret a lack of response as meaning that there is no objection to the permit application. Comments should be filed with: Wally Gauthier, Chief, Permit Evaluation Eastern Branch, Regulatory Office, Detroit District, Corps of Engineers, 477 Michigan Avenue, Detroit, Michigan 48226-2550. Comments may be e-mailed to: Shawn.S.Sanchez@usace.army.mil, but must include a name and mailing address.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Evaluation: The decision whether to issue the Department of the Army permit will be based on the Corps of Engineers evaluation of the probable impact of the proposed activity on the public interest. These decisions will reflect the national concerns for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This activity involves the discharge of dredged or fill material into waters of the United States. Therefore, the U.S. Army Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator of the Federal Environmental Protection Agency, under the authority of Section 404(b)(1) of the Clean Water Act.

Endangered Species: We will review this application for the potential impact on threatened or endangered species pursuant to Section 7 of the Endangered Species Act as amended. We are not aware of the presence of any listed species or critical habitat at or in the vicinity of the proposed worksite.

Cultural Resources: The District Staff has reviewed existing information on historic properties potentially affected by the proposed project, including the National Register of Historic Places. There are no recorded historic properties within the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property.

Additional Information: Questions concerning this application may be directed to Shawn Sanchez at the Corps of Engineers address listed above, or by telephone number at (313) 226-1326.

FOR THE DISTRICT ENGINEER:

Wally Gauthier
Chief, Permit Evaluation Eastern Branch
Regulatory Office

NOTICE TO POSTMASTERS:

We request that the above notice be conspicuously and continuously posted for the time period of this notice.